

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

METALMARK NORTHWEST, LLC, an)
Oregon limited liability company and)
VALLEY BRONZE OF OREGON, INC.,)

Plaintiffs,)

vs.)

LAURA JANELLE STEWART,)
CHRISTOPHER W. STEWART, F.)
LEITH BOGGESS, HIGHLAND)
ORNAMENTAL IRON WORKS, INC., a)
Virginia Corporation, MILESTONE)
TARANT, LLC, a District of Columbia)
Limited Liability Company, RICHARD T.)
ROSS, SUPERIOR IRON WORKS, INC.,)
a Virginia Corporation, STEWART)
SPRINGS, LTD.,)

Defendants.)

Civil Case No. 04-682-KI (Lead Case)

CONSOLIDATED CASE: Cv 05-1920-KI

OPINION AND ORDER

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KING, Judge:

In the Opinion and Order dated September 8, 2006, I made some rulings on several categories of costs sought by plaintiffs in the Bill of Costs (#314) and asked the parties to confer on the final amount to be awarded. They were unable to agree and filed their respective positions on the remaining issues.

I first reviewed plaintiff's objections which it did not have the opportunity to make in response to defendants' objections to the Bill of Costs. I decline to change any of my September 8 rulings.

The parties' disagreement at this time is limited to \$789.40 in copy fees. Because these copies were used in the federal litigation, and Metalmark failed to seek compensation for the copies in the arbitration, although it apparently could have done so, it comports with my prior rulings to award the amount in the federal litigation. I make such an award.

Metalmark's Bill of Costs (#314) is granted in the amount of \$6,165.28.

IT IS SO ORDERED.

Dated this 5th day of October, 2006.

/s/ Garr M. King

Garr M. King
United States District Judge